IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

WP(C).No. 7375 of 2007(C)

PETITIONER:

M/S.SOUTHERN INVESTMENTS PVT.LTD.
HHYS BUILDING, IST FLOOR, RAJAJI ROAD,
KOCHI-682 018. REPRESENTED BY ITS
DIRECTOR OF OPERATIONS, JACOB CHANDY.

BY ADV. SRI.BECHU KURIAN THOMAS

RESPONDENTS:

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1. **STATE OF KERALA,**
   REPRESENTED BY THE SECRETARY,
   DEPARTMENT OF REVENUE, SECRETARIAT,
   THIRUVANANTHAPURAM.

2. **THE DISTRICT COLLECTOR, ERNAKULAM.**

3. **THE TAHSILDAR, KANAYANNOOR TALUK,**
   KOCHI-11.

BY SR.GOVT.PLEADER SRI. MOHAMMED RAFIQ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C).No.7375 of 2007-C

Dated this the 6th day of March, 2007

JUDGMENT

The petitioner challenges Ext.P9 order passed by the third respondent, mainly on the ground of violation of principles of natural justice. The petitioner submits, it has not been served with any notice under Section 7(3). When the notice under Section 7 was served, it sought for time to file objection. But, without granting time, the assessment was made. The petitioner submits, the order was passed without affording an opportunity of being heard to it. If the contention of the petitioner is accepted, the flats would have been assessed separately. I think these are all grounds which can be considered by the appellate authority also. But,the learned counsel for the petitioner submits that when the order is without jurisdiction or passed in violation of principles of natural justice, this Court can directly interfere with such orders.

2. No doubt, this Court will interfere with the orders passed in violation of the principles of natural justice or issued without jurisdiction. But, when the petitioner can get the remedy from other forums, it is unnecessary for this Court to interfere with the same. I feel that the time and resources of this Court should be reserved for

matters which this Court alone can handle.

Accordingly, the Writ Petition is dismissed without prejudice to the contentions of the petitioner.

K.BALAKRISHNAN NAIR, JUDGE.

MS